

REMARKS

Claims 1-85 are currently pending in the subject application and are presently under consideration. Claims 1, 41, and 55 have been amended as shown at pages 2-9 of the Reply.

Applicants' representative thanks Examiner Shaw for the courtesies extended during the telephonic interview conducted on November 20, 2007. Examiner was contacted to discuss the rejections under 35 U.S.C. § 112, 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a). During the interview a set of amendments were agreed upon that addressed all of the rejections under 35 U.S.C. § 112 identified in the Office Action. These amendments have been incorporated into the claims as shown above. Furthermore, applicants' representative highlighted arguments discussed below in sections II, III, and XIV. Examiner indicated that further search and consideration was required to determine if the claims would be allowed over the cited prior art.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-22 and 41-54 Under 35 U.S.C §112

Claims 1-22 and 41-54 stand rejected under 35 U.S.C §112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1 and 41 have been amended to remove the limitation in question. The newly added limitation finds support in the specification, for example, at page 19, lines 22-26. Therefore, this rejection should be withdrawn.

II. Rejection of Claims 23-26 and 34-39 Under 35 U.S.C. §102(b)

Claims 23-26 and 34-39 stand rejected under 35 U.S.C. §102(b) as being anticipated by Robert M. Losee, Jr. (Minimizing Information Overload: The Ranking of Electronic Messages). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Losee does not teach each and every element of the subject invention as recited in the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The subject invention relates to providing controls and displays for acquiring user preferences for a system and method to automatically classify, prioritize, and present information to a user or system in a preferred format, location, and time. The applicants’ claimed invention can assign a priority to a message based upon the communication channel from which the message arrived. For example, all messages received at e-mail are assigned priority A and all messages received at a cell phone are assigned priority B. In particular, independent claim 23 recites *generating a priority associated with a message, wherein the message is assigned a predetermined priority associated with a communication channel from which the message is received*. Losee does not teach or suggest the aforementioned novel aspects of applicants’ invention as recited in the subject claim. Losee teaches a system for ranking messages that determines the expected cost of not selecting a message for review. Losee teaches that the cost of rejecting a message is based on the cost of non-review for given a relevance class(priority). The Office Action dated August 24, 2007 contends that Losee discloses this feature in the Abstract and 1st paragraph on page 4. These sections disclose a classification model for classifying messages as relevant or non-relevant based upon probabilities determined for message features as good or bad. The cited art is silent regarding assigning priority based upon a *predetermined priority associated with communication channel* from which the message was received. Furthermore, there is no discussion of a predetermined priority associated with a communication channel by Losee. Therefore, Losee fails to teach or suggest generating a priority associated with a message, wherein the message is assigned a predetermined priority associated with a communication channel from which the message is received.

Accordingly, applicants’ representative respectfully submits that Losee fails to teach or suggest all limitations of applicants’ invention as recited in independent claim 23 (and claims 24-26 and 34-39 that depend there from), and thus fails to anticipate the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

III. Rejection of Claims 78-85 Under 35 U.S.C. §102(e)

Claims 78-85 stand rejected under 35 U.S.C. §102(e) as being anticipated by Abu-Hakima (US 6,499,021 B1). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Abu-Hakima does not teach each and every element of the subject invention as recited in the subject claims.

Independent claim 78 recites *one or more controls and displays to acquire message priority settings associated with the adaptive prioritization and routing system ; and a user interface associated with the one or more controls and displays that provides at least a user adjustable control of an amount of messages received via the message priority settings and a feedback directed to the user relating to the settings, the **feedback includes a quantity indicating the number of messages that would have been transmitted to a user within a specified bound in time based upon the priority settings***. The Office Action dated August 24, 2007 asserts that Abu-Hakima teaches these limitations. However, the cited sections (column 8, line 36-48, column 9, line 15-39, column 11, line 19-25 and column 10, line 41-63) are all silent regarding feedback including a quantity indication of the number messages that would have been transmitted to a user within a specified bound in time based upon the priority settings. Column 8, lines 36-48 disclose a user's ability to establish preference ranking for contacts, projects and organizations. A what-if function informs the user of what actions would be performed under certain conditions. However, the cited reference fails to disclose that the what-if function can inform the user of the number of messages that they would have received during a given period of time based upon their preference settings. The what-if function merely allows the user to confirm that the correct actions are being taken based upon their preferences. The subject claim allows the user to tune the amount of messages they will receive within a time interval based upon the priority settings. Column 9, lines 15-39, discloses a feature that allows a user to request an explanation for why an agent took a particular action with a message. Column 11, lines 19-25 provides for displaying back to a user a newly learned contact, project, or organization. Column 10, lines 41-63, merely teaches a learning function that learns a sequence of user keystrokes in order to associate them with a user action. Therefore, Abu-Hakima fails to teach or suggest generating a priority associated with a message, wherein the message is assigned a predetermined priority associated with a communication channel from which the message is received.

Accordingly, applicants' representative respectfully submits that Abu-Hakima fails to teach or suggest all limitations of applicants' invention as recited in independent claim 78 (and claims 79-85 that depend there from), and thus fails to anticipate the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

IV. Rejection of Claims 1-5, 9-10, 19 and 22 Under 35 U.S.C. §103(a)

Claims 1-5, 9-10, 19 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, (US 6,463,462 B1) in view of Badt *et al.*, (US 6,542,868 B1), and Horvitz, *et al.*, (The Lumiere Project). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

[T]he prior art reference (or references when combined) must teach or suggest all claim limitations. *See* MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Independent claim 1 recites *one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.*

Smith *et al.*, Badt *et al.*, and Horvitz, *et al.* does not teach or suggest the aforementioned novel features as recited in the subject claim. As discussed above with respect to the similar limitation of independent claim 23, the subject claim discloses assignment of a priority to a message based upon a predetermined priority associated with the communication channel from which the message arrived. Smith, *et al.* teaches a messaging system that can receive and send messages from multiple formats by converting the messages into a universal format. Smith, *et al.* provides a method for a user to establish profiles that can determine priority based on various factors. However, the cited reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message. Badt, *et al.*

discloses a system that employs voice recognition is used to identify the caller. The system then determines where in the hierarchical organization the caller is positioned. The priority is then assigned based on the caller's level within the organization. Badt, *et al.* is silent regarding a predetermined priority associated with the communication channel that is used to determine priority of a received message. Horvitz, *et al.* discloses a system for employing Bayesian models for inferring goals of a user. The reference is also silent regarding a predetermined priority associated with the communication channel that is used to determine priority of a received message. Therefore, Smith, *et al.*, Badt, *et al.*, and Horvitz, *et al.* fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 2-5, 9-10, 19 and 22 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

V. Rejection of Claims 6, 13 and 21 Under 35 U.S.C. §103(a)

Claims 6, 13 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.* and further in view of Wright, *et al.* (US 6,078,568 A). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, Horvitz, *et al.*, and Wright, *et al.* alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 6, 13, and 21 depend from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Wright, *et al.* fails to make up for the aforementioned deficiencies of these cited references. Wright, *et al.* teaches a system for managing data packets on a communication network and fails to discuss assignment of message priority or assignment of a priority to a communication channel. Therefore, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Wright, *et al.* fail to teach or suggest one or more inputs associated

with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Wright, *et al.*, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 6, 13, and 21 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

VI. Rejection of Claims 7-8 Under 35 U.S.C. §103(a)

Claims 7-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.* and further in view of Cooper, *et al.* (US 6,757,362 A). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, and Cooper, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 7 and 8 depend from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Cooper, *et al.* fails to make up for the aforementioned deficiencies of these cited references. Cooper, *et al.* teaches a system for inputting and receiving information such as e-mail and news by speech. Cooper, *et al.* teaches analysis of acoustical properties of the speech of a user that is retrieving messages for the purpose of identifying the emotional state of the user, so that adjustments can be made in the system voice prompts to be more in line with the user's emotional state. Cooper, *et al.* fails to discuss assignment of message priority or assignment of a priority to a communication channel. Therefore, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Cooper, *et al.* fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Cooper, *et al.*, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 7 and 8 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

VII. Rejection of Claim 11 Under 35 U.S.C. §103(a)

Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.* and further in view of Matthew Marx (CLUES: Dynamic Personalized Message Filtering). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, and Marx, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 7 and 8 depend from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Marx fails to make up for the aforementioned deficiencies of these cited references. Marx teaches a prioritization system for e-mail and phone calls based on rules that are automatically generated by the system. However, the cited reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message. Therefore, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Marx fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Marx, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 7 and 8 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

VIII. Rejection of Claims 12 and 20 Under 35 U.S.C. §103(a)

Claims 12 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, Badt, *et al.*, Eric, *et al.*, and further in view of Eggleston, *et al.* (US 6,101,531 A). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, and Eggleston, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 12 and 20 depend from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Eggleston, *et al.* fails to make up for the aforementioned deficiencies of these cited references. Eggleston, *et al.* teaches a system and method for prioritizing e-mail to be downloaded from a server to a local machine. However, the cited reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message. Therefore, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Eggleston, *et al.* fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Eggleston, *et al.*, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 12 and 20 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

IX. Rejection of Claim 14 Under 35 U.S.C. §103(a)

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, Badt, *et al.*, Horvitz, *et al.* and further in view of Jonathan Issac Helfman, *et al.* (Ishmail: Immediate Identification of Important Information). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, and Helfman, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claim 14 depends from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Helfman, *et al.* fails to make up for the aforementioned deficiencies of these cited references. Helfman, *et al.* teaches a prioritization system for e-mail based upon keyword based filter rules. However, the cited reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message. Therefore, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Helfman, *et al.* fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Helfman, *et al.*, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claim 14 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

X. Rejection of Claims 15-18 Under 35 U.S.C. §103(a)

Claims 15-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.* and further in view of Abu-Hakima. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith *et al.*, Badt *et al.*, and Horvitz, *et al.*, and Abu-Hakima, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 15-18 depend from independent claim 1. As noted *supra*, Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, do not teach or suggest each and every element of the subject invention as recited in this independent claim, and Abu-Hakima fails to make up for the aforementioned deficiencies of these cited references. Abu-Hakima teaches a system for prioritizing messages based on attributes of the message and then forwarding messages to a user based on the priority. However, the cited reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message. Therefore,

Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Abu-Hakima fail to teach or suggest one or more inputs associated with the display objects to facilitate adaptation of the user interface to one or more preferences of a user, the one or more inputs includes at least one or more user preferences for assigning a priority value to a voice message based upon a predetermined priority associated with a communication channel from which the message is received.

In view of at least the foregoing discussion, applicant's representative respectfully submits that Smith, *et al.*, Badt, *et al.*, Horvitz, *et al.*, and Abu-Hakima, alone or in combination fails to teach or suggest all limitations of applicant's invention as recited in independent claim 1 (and claims 15-18 that respectfully depend there from), and thus fails to make obvious the subject claimed invention. Accordingly, this rejection should be withdrawn.

XI. Rejection of Claims 27-33 Under 35 U.S.C. §103(a)

Claims 27-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Losee and further in view of Eggleston, *et al.*. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Losee in further view of Eggleston, *et al.* fails to teach or suggest each and every limitation of applicants' claimed invention.

The subject claims depend from independent claim 23. As noted *supra*, Losee does not teach or suggest each and every element of the subject invention as recited in independent claim 23, and Eggleston fails to make up for the aforementioned deficiencies of Losee. The cited reference discloses a system for applying filters to data that is transferred between a host server and a wireless client device. Eggleston, *et al.* is silent regarding assigning priorities to messages, and therefore fails to teach or suggest *generating a priority associated with a message, wherein the message is assigned a predetermined priority associated with a communication channel from which the message is received.*

Accordingly, applicants' representative respectfully submits that Losee and Eggleston, *et al.*, alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 23 (and claims 27-33 which depend therefrom), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XII. Rejection of Claim 40 Under 35 U.S.C. §103(a)

Claim 40 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, *et al.* in view of Abu-Hakima. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Smith, *et al.* and Abu-Hakima, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Independent claim 40 recites *configuring the graphical displays according to one or more user preferences associated with the priority and delivery of the one or more messages, the one or more user preferences includes one or more **deferral policies that are given as bounds such that a message of a particular priority will not wait more than a predetermined amount of time before being displayed to a user.*** As conceded in the Office Action Smith, *et al.* does not teach this novel feature of the subject claim. The Office Action asserts Abu-Hakima teaches the bolded feature of the claim (column 7, lines 25-64). However, the cited section merely discloses that a message will be assigned an urgency based upon message features such as keywords or sender. The urgency is then employed to determine the preferred device to which the message should be sent. The reference is silent regarding any specific time limits within which the message must be sent based upon the urgency. The reference discloses that the message will be either routed to a particular device based upon the urgency or not routed, without any discussion of timeframes in which the routing should occur. The subject claims ensure that messages are routed within a predetermined time frame given their priority.

Therefore, applicants' representative respectfully submits that Smith, *et al.* and Abu-Hakima, alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 40, and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XII. Rejection of Claims 41-51 Under 35 U.S.C. §103(a)

Claims 41-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Juha Takkinen (CAFE: A Conceptual Model for Managing Information in Electronic Mail), in view of Badt, *et al.* and Horvitz, *et al.* It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Takkinen, Badt *et al.*, and Horvitz, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Independent claim 41 recites *assigning priority values to one or more messages, wherein a message is assigned a priority value based upon a predetermined priority associated with a communication channel from which the message is received*. As discussed above with respect to the similar limitation of independent claim 1, Badt, *et al.* and Horvitz, *et al.* do not teach or suggest is assigned a priority value based upon a predetermined priority associated with a communication channel from which the message is received, and Takkinen fails to make up for this deficiency of Badt *et al.* and Horvitz, *et al.* Takkinen teaches a categorization system for e-mail that has three user modes of operation employing three different categorization techniques based upon how busy the user indicates they are currently. However, Takkinen is strictly concerned with e-mail and fails to suggest a predetermined priority associated with a communication channel from which the message is received.

Accordingly, applicants' representative respectfully submits that Takkinen, Badt *et al.*, and Horvitz, *et al.*, alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 41 (and claims 42-51 that depend there from), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XIII. Rejection of Claims 41-54 Under 35 U.S.C. §103(a)

Claims 41-54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Takkinen, Badt, Eric and further in view of Abu-Hakima. It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Takkinen, Badt *et al.*, Horvitz, *et al.*, and Abu-Hakima alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Independent claim 41 recites *assigning priority values to one or more messages, wherein a message is assigned a priority value based upon a predetermined priority associated with a communication channel from which the message is received*. As discussed above, Badt, *et al.* and Horvitz, *et al.*, and Takkinen do not teach or suggest is assigned a priority value based upon a predetermined priority associated with a communication channel from which the message is received, and Abu-Hakima fails to make up for this deficiency of Badt *et al.*, Horvitz, *et al.*, Takkinen. Abu-Hakima teaches a system for prioritizing messages based on attributes of the message and then forwarding messages to a user based on the priority. However, the cited

reference fails to disclose a predetermined priority associated with the communication channel that is used to determine priority of a received message.

Accordingly, applicants' representative respectfully submits that Takkinen, Badt *et al.*, Horvitz, *et al.*, and Abu-Hakima, alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 41 (and claims 42-51 that depend there from), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XIV. Rejection of Claims 55-68, 70-71 and 74-77 Under 35 U.S.C. §103(a)

Claims 55-68, 70-71 and 74-77 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abu-Hakima in view of Wright, *et al.* It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Abu-Hakima, and Wright, *et al.*, alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Independent claim 55 recites *one or more controls and displays to at least one of acquire user preferences, inspect behavior, and guide learning and decision policies of the adaptive prioritization and routing system, wherein the user preferences includes a user defined amount of time of inactivity of a message retrieval device, **wherein the user defined amount of time of user inactivity of the message retrieval device is a threshold where messages are held back from delivery to the message retrieval device when the threshold is exceeded.*** The subject claim discloses that messages can be held back from being transmitted to a user if a user's device is inactive for a user defined threshold period of time. As conceded in the Office Action, Abu-Hakima fails to teach this novel feature of the subject claim. Wright *et al.* is silent regarding a user defined amount of time of inactivity of the message retrieval device that is a threshold where messages are held back from delivery to the message retrieval device when the threshold is exceeded. The Office Action asserts that Wright, *et al.* discloses the bolded feature of the claim. Wright, *et al.* teaches a system for managing data packets on a communication network. The cited section (column 27, lines 26-34) relate to idle time before transmission from a subscriber device. This relates to waiting for a certain number of packets to be transmitted or a specified period of time before a transmission attempt is made. There is also a statement that during the idle time, the reverse channel is also not accessed. All of this relates to idle state for

the MAC layer at the sender (subscriber device) and not the inactivity of the message retrieval device. The MAC layer at the sender can be inactive while the message retrieval device at the recipient is actively being used by the user. The message retrieval device may have many other functions that the user can be using that are not related to sending and retrieving messages.

Accordingly, applicants' representative respectfully submits that Abu-Hakima and Wright, *et al.*, alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 55 (and claims 54-68, 70-71 and 74-77 that depend there from), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XV. Rejection of Claim 69 Under 35 U.S.C. §103(a)

Claim 69 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Abu-Hakima, Wright, *et al.* and further in view of Horvitz, *et al.* It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Abu-Hakima, Wright, *et al.*, and Horvitz, *et al.* alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

The subject claim depends from independent claim 55. As noted *supra*, Abu-Hakima, and Wright, *et al.* do not teach or suggest each and every element of the subject invention as recited in independent claim 55, and Horvitz, *et al.* fails to make up for the aforementioned deficiencies of Abu-Hakima, and Wright, *et al.*. Horvitz, *et al.* discloses a system for employing Bayesian models for inferring goals of a user. The cited reference is silent regarding a user defined amount of time of inactivity of the message retrieval device that is a threshold where messages are held back from delivery to the message retrieval device when the threshold is exceeded.

Accordingly, applicants' representative respectfully submits that Abu-Hakima, Wright, *et al.*, and Horvitz, *et al.* alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 55 (and claim 69 that depends there from), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

XVI. Rejection of Claims 72 and 73 Under 35 U.S.C. §103(a)

Claims 72 and 73 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abu-Hakima, Wright, *et al.* and further in view of Eggleston, *et al.* It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Abu-Hakima, Wright, *et al.*, and Eggleston, *et al.* alone or in combination, fail to teach or suggest each and every limitation of applicants' claimed invention.

Claims 72 and 73 depend from independent claim 55. As noted *supra*, Abu-Hakima, and Wright, *et al.* do not teach or suggest each and every element of the subject invention as recited in independent claim 55, and Eggleston, *et al.* fails to make up for the aforementioned deficiencies of Abu-Hakima, and Wright, *et al.*. Eggleston, *et al.* discloses a system for applying filters to data that is transferred between a host server and a wireless client device. The cited reference is silent regarding a user defined amount of time of inactivity of the message retrieval device that is a threshold where messages are held back from delivery to the message retrieval device when the threshold is exceeded.

Accordingly, applicants' representative respectfully submits that Abu-Hakima, Wright, *et al.*, and Eggleston, *et al.* alone or in combination, fail to teach or suggest all limitations of applicants' invention as recited in independent claim 55 (and claims 72 and 73 that depends there from), and thus fails to make obvious the subject claimed invention. Therefore, it is readily apparent that this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP225USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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